

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RONALD DAVIDSON, Plaintiff,

-- against --

OFFICE OF COURT ADMINISTRATION;  
HON. JOSEPH ZAYAS;  
HON. LAWRENCE MARKS;  
JOHN DOE1;  
JOHN DOE2;  
JOHN DOE3;  
JOHN SULLIVAN;  
ALIA RAZZAQ;

TRACEY FERDINAND;  
NORMA JENNINGS;  
TRAVIS ARRINDEL;  
VANESSA FANG;  
FRANCES ORTIZ;

HON. THOMAS DINAPOLI;  
KIMBERLY HILL ;  
HON. DAWN PINNOCK;

PATRICK KEHOE, Defendants


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1:22-cv-08936  
-PGG-VF

MOTION FOR  
RECONSIDERATION  
PER FRCP RULE 60  
AND/OR NOTICE  
OF PLAN TO APPEAL  
PER FRCP RULE 4

Oral argument and  
expedited hearing  
requested

**MEMO ENDORSED**

  
HON. VALERIE FIGUEREDO  
UNITED STATES MAGISTRATE JUDGE  
DATED: 8-27-2024

The motion for reconsideration is  
hereby DENIED.  
The Clerk of Court is respectfully  
directed to terminate the motion at  
ECF No. 68.

1. This Motion is based on Federal Rules of Civil Procedure (FRCP)  
Rule 60(b)(6); and this is made necessary by fundamental baseline  
errors in this Court's June 5, 2023 Order (ECF No. 28) and in its July  
31, 2023 Order (ECF No. 39); and the critical weltanschauung-based

decision-making is emphasized by redundant repetition in the Court's April 11, 2024 Order (ECF No. 67).

2. In effect, the timely request for acknowledgement of the Plaintiff's unique mix of pre- and post-pandemic disabilities was made in a Motion (ECF No. 4), and it was denied by this Court's Order (ECF No. 28); and then a follow-up Order (ECF No. 33) granted a Motion (ECF No. 31) for reconsideration; and then this Court's Order (ECF No. 39) denied a procedural Motion (ECF No. 38) to repair the on-going harms caused by the continuing denial of the initial outreach in 2022.

3. In effect, a new motion is now made necessary and urgent because "yes" means "no" in the Court's first Order (ECF No. 28) and in its second Order (ECF No. 39) and in its third Order (ECF No. 67); and the awkward impossibility the Court contrived in 2022 and in 2023 has somehow evolved into a more difficult barrier in 2024.

4. This motion now presents issues the Plaintiff is only able to parse because of words in the Federal Register that are published for all to read; and yet, it's as if the Court declines to accept the fact that the US

Department of Justice lawyers wrote words which were intended to be read by a non-lawyer with disabilities — and, in part, the function of federal regulations is to help any person with handicaps figure out what he or she needs to know in order to survive in hostile New York State (NYS) bureaucratic mazes funded with federal dollars.

5. This motion is necessary because an essential interactive process is again thwarted; and the Plaintiff needs the help of this US District Court — or the 2nd Circuit Court of Appeals — in a process of developing an explanatory theory about what's happened and what hasn't happened:

(a) it's as if the Court is fixated on a kind of wheelchair-based template for parsing issues having to do with disability; and the Court declines to take judicial notice of the fact that the Plaintiff does not use a wheelchair; or

(b) it's as if the Court has a kind of cognitive dissonance which rejects the fact that plane geometry and solid geometry are similar, but not the same; and because of its wheelchair fixation, the Court has also decided to decline to accept the existence of

non-Euclidean geometry, e.g., postulating that the shortest distance between two points isn't always a straight line.

6. This motion is about the Plaintiff's need for meaningful program access — for "usability" of the "program" of this US District Court; and this motion's focal point is conceptually different from the function of Plaintiff's words in the prolix Supplemental Complaint [ECF Nos. 34-35].

Dated: April 16, 2023  
New York, New York

Respectfully submitted,

/s/ Ronald Davidson

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